

## Message Text

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ACTION DLOS-06

INFO OCT-01 EUR-12 IO-13 ISO-00 ACDA-07 AGRE-00 AID-05  
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INFO USMISSION GENEVA  
USMISSION USUN NEW YORK  
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E.O.11652: N/A  
TAGS: PLOS BE  
SUBJECT: LOS COMMITTEE I BELGIAN POSITIONS

REF: (A) STATE 3591 (B) BRUSSELS 727

SUMMARY: FOREIGN MINISTRY LOS EXPERT PRESENTS BELGIAN VIEW-  
POINTS ON THREE LOS COMMITTEE I ISSUES OF SPECIAL INTEREST  
TO BELGIUM: (A) THE ENTERPRISE; (B) WHAT THE BELGIANS CALL  
THE "BANKING SYSTEM"; AND (C) THE FRENCH-PROPOSED "ANTI-DOMINATION  
CLAUSE". TO ACHIEVE ITS AIMS, BELGIUM WILL CONTINUE TO WORK  
PRIMARILY WITH ITS EC PARTNERS AND ATTEMPT TO INFLUENCE THE  
COMMON EC POSITION. END SUMMARY.

1. HENRI NOLAERD (SEE REFTEL B) PROVIDED US WITH AN EXPLANATION  
JANUARY 25 OF BELGIUM'S PRESENT POSITION ON THE THREE SUBJECTS  
NOTED ABOVE. BELGIUM IS SEEKING TO WIN OVER ITS EC-9 PARTNERS  
TO ITS POINT OF VIEW ON THESE ISSUES, WHICH IT CONSIDERS OF MAJOR  
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IMPORTANCE.

2. THE ENTERPRISE. BELGIUM WAS RELUCTANT AND LATE TO SUPPORT  
THE IDEA OF AN ENTERPRISE. (BELGIUM WOULD HAVE PREFERRED TO  
SEE THE ENTERPRISE CREATED OUTSIDE OF THE LOS CONFERENCE.)  
IT FEARED, AND STILL DOES, THAT THE ENTERPRISE WILL BE SUBORDINATE  
TO THE AUTHORITY UNLESS, AS PROPOSED IN RSNT ANNEX 2, THE ENTERPRISE

IS CREATED WITH THE COMPOSITION OF ITS ASSEMBLY AND COUNCIL IDENTICAL TO THAT OF THE AUTHORITY. BELGIUM ACCEPTS THE IDEA THAT THE ENTERPRISE AS THE OPERATIONAL ORGAN MUST COME UNDER THE AUTHORITY. IF THE ENTERPRISE'S ASSEMBLY AND COUNCIL ARE COMPOSED DIFFERENTLY FROM THOSE OF THE AUTHORITY, BELGIUM FEARS THAT THERE WILL BE CONFLICTS BETWEEN THE TWO, WHICH MIGHT LEAD TO BLOCKING THE EXPLOITATION OF DEEP SEA MINERAL RESOURCES. THIS ABOVE ALL, BELGIUM WISHES TO AVOID. BELGIUM WANTS THE ENTERPRISE TO BE FREE TO OPERATE BY ITSELF IN A FASHION SIMILAR TO BELGIAN PARA-STATAL COMPANIES. BELGIUM BELIEVES THAT IF THE ENTERPRISE HAS AN IDENTICAL COMPOSITION WITH THAT OF THE AUTHORITY, THE INTERESTS OF THE DEVELOPED AND INDUSTRIALIZED STATES WOULD BE PROTECTED, AS WOULD THE FINANCIAL INTERESTS OF THE THIRD WORLD, WHICH WILL BENEFIT FROM SOME OF THE REVENUES ACCRUING TO THE AUTHORITY. BELGIUM

FURTHER CONSIDERS IT UNREALISTIC TO THINK THAT THE ENTERPRISE COULD START ACTUAL WORK AT THE SAME TIME AS THE OTHER LOS ORGANS. IT WOULD NOT FILL A REAL NEED IMMEDIATELY AND FURTHER TECHNOLOGICAL ADVANCES IN THE RECOVERY OF DEEP SEA MINERAL RESOURCES ARE NECESSARY TO PERMIT IT TO FUNCTION EFFECTIVELY.

3. THE "BANKING SYSTEM". THE BELGIANS BELIEVE AS A BASIC PRINCIPLE THAT DEEP SEA RESOURCES ARE PART OF THE PATRIMONY OF ALL MANKIND AND CANNOT BE DIVIDED UP BY EITHER STATES OR BY THE ENTERPRISE. ON THE OTHER HAND, DEEP SEA RESOURCES SHOULD BE EXPLOITABLE BY ALL ON AN ORDERLY BASIS. A SYSTEM IS NEEDED TO AVOID ALL POSSIBLE CONFLICTS BETWEEN THOSE WHO WANT TO AND ARE CAPABLE OF EXPLOITING THE DEEP SEA RESOURCES. THE SYSTEM SHOULD ALSO PREVENT THOSE NOT CAPABLE OF EXPLOITING THESE RESOURCES FROM LIMITED OFFICIAL USE

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BLOCKING THEIR EXPLOITATION BY THOSE WHO CAN. BELGIUM'S POSITION IN THIS REGARD IS CONSISTENT WITH ITS POSITION ON USE OF THE HIGH SEAS BY ALL AND IS THUS DISTINCT FROM THE POSITION OF THE EXTREMIST MINORITY OF THE GROUP OF 77.

4. "ANTI-DOMINATION CLAUSE". BELGIUM IS OPPOSED TO MONOPOLY, WHETHER BY THE ENTERPRISE, A SINGLE COUNTRY OR A SINGLE COMPANY. IT DOES NOT OPPOSE THE "DOMINATION" OF THE EXPLOITATION OF A LARGE PERCENTAGE OF DEEP SEA RESOURCES BY A SINGLE ENTITY. THE BELGIANS DIFFER FROM THE FRENCH IN THAT THEY BELIEVE THAT THERE ARE A LARGE NUMBER OF DEEP SEA AREAS SUSCEPTIBLE TO EXPLOITATION. THEY ARE ESPECIALLY INTERESTED IN MAGNESIUM PRODUCTION, WHICH IS OTHERWISE IN SHORT AND DIMINISHING SUPPLY. THEY BELIEVE THAT THE "ANTI-DOMINATION" CLAUSE, IF ADOPTED, WOULD EFFECTIVELY LIMIT THE AUTHORITY'S REVENUES, WHICH WOULD REDUCE THEIR THIRD WORLD STATUS

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THE BELGIANS ARE FURTHER CONCERNED THAT, IF ADOPTED, THE CLAUSE COULD HAVE AN ADVERSE EFFECT ON MEMBER STATES OF THE EC-9 SHOULD EUROPE BE TREATED AS A SINGLE ENTITY. MORE DIRECTLY, THE BELGIANS

HAVE NOTED THAT FIRMS IN FOUR OF THE EC-9 (INCLUDING BELGIUM) ARE ALREADY LINKED BY COMMERCIAL TIES WITH US FIRMS FOR DEEP SEA RE-SOURCE EXPLOITATION. THE "ANTI-DOMINATION" CLAUSE, WHILE OSTENSIBLY AIMED AT THE US, WOULD ALSO HIT THOSE EUROPEAN FIRMS. LASTLY, BELGIUM IS NOT CONVINCED THAT A SYSTEM OF QUOTAS ALLOCATED TO STATES WOULD WORK, NOTING THAT A PARALLEL WITH FLAGS OF CONVENIENCE COULD BE DRAWN, WITH FIRMS REGISTERED IN COUNTRIES NOT THEMSELVES CAPABLE OF EXPLOITING DEEP SEA RESOURCES.

5. CONCLUSION. BELGIUM'S TWO PRINCIPAL AIMS ARE THAT (A) NOTHING SHOULD HAMPER THE COMMERCIAL EXPLOITATION OF DEEP SEA MINERAL RESOURCES, AS SOON AS THAT BECOMES TECHNICALLY FEASIBLE; AND (B) THIRD WORLD FINANCIAL INTERESTS MUST BE CONSIDERED AND ARE BEST PROTECTED BY A SYSTEM WHICH PERMITS THE INDUSTRIALIZED STATES TO EXPLOIT THESE RESOURCES AND MAKE CONTRIBUTIONS TO THE AUTHORITY. THE PRESENT AND URGENT NEED IS FOR A SYSTEM WHICH AVOIDS CONFLICTS BETWEEN THOSE WHO CAN EXPLOIT DEEP SEA RESOURCES LIMITED OFFICIAL USE

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AND WHICH ALSO PREVENTS GROUP OF 77 RADICALS FROM BLOCKING THE EXPLOITATION OF DEEP SEA MINERAL RESOURCES BY THE INDUSTRIALIZED STATES. RENNER

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